FINAL

MEMORANDUM

June 6, 2000

TO: CALFED Policy Group

FROM: ERP Focus Group

RE: Establishing One Blueprint for Ecosystem Restoration and Conservation

Summary and Policy Context

Currently there is considerable confusion regarding the relationship between the CALFED Ecosystem Restoration Program (ERP), Multi-Species Conservation Strategy (MSCS), and ongoing regulatory activity affecting biological resources dependent on the Delta. There is also a lack of clarity regarding the relationship between ERP implementation (including the Environmental Water Program – EWP), the Water Management Strategy (including the Environmental Water Account - EWA), and the development and implementation of future Recovery Plans, other regulatory documents, and regulatory actions affecting species recovery and habitat conservation for species dependent on the Delta.

The relationship between the ERP and other plans and regulatory actions affecting restoration, species recovery, and habitat conservation for species dependent on the Delta is a critical issue affecting the potential success of the CALFED Program. How the ERP is implemented over time relative to other restoration and species recovery actions affecting species dependent on the Delta will strongly influence support for, and thus the ultimate success of, the ERP, and the CALFED program as a whole.

It is the consensus opinion of the ERP Focus Group[i] that the establishment of a single blueprint for ecosystem restoration and species recovery in the Bay-Delta System[ii] is a key ingredient for a successful and effective restoration program, and that such a blueprint can be the vehicle for ensuring coordination and integration; not only within the CALFED Program, but between all resource management, conservation, and regulatory actions affecting the Bay-Delta System.

A single blueprint is a unified and cooperative approach defined by three primary elements: (1) integrated, shared science and a set of transparent ecological conceptual models to provide a common basis of understanding about how the ecosystem works; (2) a shared vision for a restored ecosystem ; and (3) a management framework, including binding agreements which define how parties with management and regulatory authorities affecting the Delta will interact and how management and regulatory decisions (including planning, prioritization, and implementation) will be coordinated and integrated over time.

There are numerous benefits associated with the establishment and pursuit of a single blueprint (as defined above), including improved understanding and stakeholder/public support, a higher probability that desired levels of ecological health will be achieved, and reduced conflicts. Establishing such a blueprint, however, will require a commitment from all the CALFED agencies to the concept, and development of specific mechanisms such as MOUs and internal policies and procedures to ensure effective coordination and consistency.

Recommendations

The ERP Focus Group recommends that the CALFED agencies in the Record of Decision:

1. Collectively adopt a policy statement, which clearly commits to the concept of a single blueprint. A proposed policy statement is provided in the Discussion section of this memorandum.

2. Endorse and support the development and refinement of ecological conceptual models as the basis for understanding the ecosystem and making informed management and regulatory decisions.

3. Commit to using sound science and the development of a comprehensive Science Program, including independent scientific review , to serve as a common resource available to all agencies and interested parties (including agencies and programs outside the formal CALFED agencies and programs).

4. Execute a formal agreement, which defines how parties will coordinate and interact in pursuit of a single blueprint for ecosystem restoration. A proposed management framework for coordination and integration is presented in Attachment B.

5. Adopt the goals of the CALFED Ecosystem Restoration Program (herein referring to the ERPP plus the MSCS), as the shared vision of the single blueprint (See Attachment F). In carrying out existing programs, agencies will continue to pursue the goals of those programs but will strive to be consistent with and to advance the restoration goals established in the ERP.

6. Establish the geographic scope of the blueprint as follows: *"Bay-Delta estuary and its watersheds, which includes the Delta, Suisun Bay and Marsh, San Pablo Bay and their local watersheds, the Sacramento River and San Joaquin River watersheds, and San Francisco Bay and its local watersheds; and, limited to salmonid species issues, the near-shore portions of the Pacific Ocean out to the Farallon Islands and north to the Oregon border".*

7. Commit to using the goals of the ERP for environmental water management, including the Environmental Water Account (EWA) and the Environmental Water Program (EWP).

Discussion

In addressing the question of how to better integrate the ERP with and other CALFED and CALFED-associated programs, the ERP Focus Group has concluded that effective coordination, and consistency, between the CALFED ERP and other plans and regulatory actions affecting species recovery, restoration, and habitat conservation in the Bay-Delta System requires that there be a single point of reference for ecosystem restoration, or a "single blueprint", based on: shared science; a common vision; and a management framework for sharing information and coordinating decision making.

The ERP Focus Group believes that the first steps toward addressing the relationship between the ERP and other plans and regulatory actions should be development of a clear policy statement that commits to the concept of a single blueprint for ecosystem restoration, and begins to establish a framework for that concept. The following draft policy statement was developed by the ERP Focus Group as an example of how such a policy statement might be framed and what the key elements of a single blueprint concept would be.

Draft Proposed Policy Statement

It is the intent of the CALFED agencies, through the Ecosystem Restoration Program (herein referring to the ERPP plus the MSCS), to establish a single blueprint for restoration and species recovery in the area defined above, consistent with existing statutory mandates. The CALFED agencies will commit to ensuring that their applicable programs[iii], including their statutory decisions and actions, are integrated[iv] to the extent possible and consistent with this blueprint over time. This is not meant to imply that any agency would relinquish its statutory authorities or responsibilities; instead, it is meant to emphasize that regulatory tools and other ecosystem management tools must be integrated to achieve ecosystem restoration and species recovery. The blueprint should not be viewed as static; instead as new information is developed, the constituent plans and regulatory programs that make up the blueprint are modified, and/or a regulatory decision is made that affects the ERP, the ERP itself will be updated and modified consistent with these changes.

Defining a Single Blueprint

A single blueprint is a unified and cooperative approach defined by three primary elements:

1. Integrated Science and Transparent Ecological Conceptual Models;
2. A Shared Vision for Ecological Restoration; and
3. A Management Framework.

The integrated science and ecological conceptual models provide a common basis of understanding about how the ecosystem works. These elements, which would

include competing hypotheses and models, represent the foundation for transparent decision making based upon sound science. This is not to imply that these models are fixed, as they will be tested and modified over time in response to new information in accordance with the principles of adaptive management as part of the CALFED Science Program. Rather, the models represent a basis for guiding management and regulatory decisions at a given point in time. They also provide the rationales for these decisions.

The shared vision for ecological restoration serves to define the desired outcome. While each of the management and regulatory programs have their own distinct set of goals, establishing a unified approach requires that in meeting these goals the various programs also contribute to meeting common goals with respect to ecosystem restoration. The goals for ecological restoration and species conservation established in the ERP and MSCS provide a broad set of goals that can provide the common vision for the single blueprint concept.

The management framework defines how parties will interact and how management and regulatory decisions will be coordinated and integrated over time. The management framework is designed to foster coordinated and consistent decision making over time. This management framework must be flexible, incorporating and responding to new information and changing Bay-Delta conditions. The framework must be designed to promote coordinated planning, prioritization, and implementation. It must also incorporate provisions for resolving management and regulatory conflicts that may arise. Attachment B provides a general proposed management framework for promoting integration and the concept of a single blueprint approach.

Programs to be Connected

Key management and regulatory programs that would be connected through the single blueprint include the following:

Primary CALFED Programs

- Ecosystem Restoration
- Water Management Strategy
- Water Quality
- Watershed
- Levee System Integrity
- Science Program

CALFED Related Programs

- CVPIA
- Central Valley Habitat Joint Venture
- SB 1086
- The Sacramento and San Joaquin Basins Comprehensive Study

- ESA Recovery Plans
- San Joaquin River Management Program
- Prop 13 programs including flood corridor protection program , the river parkways program , the non point source pollution program, the watershed protection program, and flood protection program
- California Watershed Initiative
- The Delta Protection Act of 1992

Regulatory Activities

- Reclamation Board permitting
- ESA Biological Opinions related to water project operations, in-channel activities, and riparian area which support species dependent on the Delta
- CESA permitting involving species dependent on the Delta.
- Water quality regulatory activities (e.g.. NPDES permitting, TMDLs etc)
- NCCP's
- CWA 404 and Rivers and Harbors Act permitting
- FERC licensing
- Habitat Conservation Plans

Benefits of a Single Blueprint

The benefits of a single blueprint approach include the following:

- Improved understanding, both of the consequences of certain actions and why specific actions are undertaken;
- Increased probability of achieving the desired level of ecosystem health for the Bay-Delta system;
- Cost effectiveness;
- Avoiding and/or reducing the potential for conflicts that could be counterproductive;
- Providing greater management and regulatory certainty; and
- Increased support for the program and program funding.

[i] The ERP Focus Group is a joint agency/stakeholder policy forum involving the following individuals and organizations: Margit Aramburu, Delta Protection Commission; Gary Bobker, The Bay Institute; Mike Bonner, U.S. Army corps of Engineers; Byron M. Buck, California Urban Water Agencies; Steve Johnson, The Nature Conservancy; Dan Keppen, Northern California Water Association; Laura King, San Luis Delta Mendota Water Authority; Patrick Leonard, U.S. Fish and Wildlife Service; Dave Nesmith, Save the Bay; Tim Ramirez, Resources Agency; Pete Rhoads, Metropolitan Water District of Southern California; Steve Shaffer, CA Department of Food and Agriculture; Lawrence Smith, U.S. Geological Survey; Gary Stern, National Marine Fisheries Service; Frank Wernette, CA Department of Fish and Game; Leo Winternitz, CA Department of Water Resources; Steve Yaeger, U.S. Army Corps of Engineers; Carolyn Yale, U.S. Environmental Protection Agency.

[ii] The term Bay-Delta System as used herein refers broadly to the estuary, its watershed, and factors within the defined geographic scope that influence the health of this ecosystem

[iii] Applicable programs include primary CALFED Programs which are targeted to meet CALFED objectives and will be subject to Policy Group/Commission review and approval, and related programs which can advance CALFED objectives but which have their own mandates and requirements. Related programs considered to be applicable in this context include: CVPIA programs; Central Valley Habitat Joint Venture, SB 1086; the Sacramento and San Joaquin Basins Comprehensive Study; ESA Recovery Plans; Prop 13 programs; California Watershed Initiative; the Delta Protection Act; and permitting activities related to water project operations and in-channel and riparian areas affecting species dependent on the Delta (including actions by the Reclamation Board , USFWS, NMFS, EPA, CDFG, FERC, and ACOE).

[iv] Integration in this context means that the CALFED agencies will make every effort to ensure that their regulatory decisions and actions are consistent with a single, established approach, or blueprint, and that they remain integrated into this blueprint over time. For example, decisions regarding ocean harvest are outside the scope of the CALFED; however, such decisions have a direct bearing on the recovery of several listed species covered by the ERP. Under an integrated approach, CALFED would not determine how ocean harvest should or should not be controlled, but the NMFS would commit to working collectively with CALFED governance to ensure that such decisions are made consistent with the ERP to foster the common goal of species recovery. In the event that the outcomes of regulatory processes contradict the ERP a clear linkage must be established to change the content of the ERP so that there is only one blueprint for recovery and ecosystem restoration.